

211815US-1412-7218-0-PCT



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
BANG LUU ET AL : EXAMINER:
SERIAL NO: 09/890,969 :
FILED: AUGUST 8, 2001 : GROUP ART UNIT:
FOR: PREVENTIVE AND THERAPEUTIC:
DRUG FOR NEURODEGENERATIVE
DISEASE

RECEIVED
09 MAY 2002
Legal Staff
International Division

PETITION UNDER 37 C.F.R. §1.47(a)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

It is requested that the Patent and Trademark Office accept the submitted Declaration and Power of Attorney for Application Serial No. 09/890,969, because the joint inventor, Philippe Chabert, cannot be reached to sign the Declaration and Power of Attorney after diligent efforts.

According to a colleague of Philippe Chabert, he has moved to France and his last known address was 9, rue du Temple, 68300 San-Louis, France.

A letter, Declaration and Power of Attorney and Assignment of Patent Rights for Application Serial No. 09/890,969 was sent to Philippe Chabert on December 11, 2001 by DHL to the above-mentioned address by Toshio Nakajima, patent attorney for Tokyo Technopat Corporation, requesting that Philippe Chabert sign the enclosed Declaration and

Power of Attorney and an Assignment of the application rights for Patent Application Serial

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No. 09/890,969 (copy of the letter and DHL receipt attached as Exhibit A). This letter received no response.

A second letter was sent to Philippe Chabert by express mail on January 24, 2002 by Toshio Nakajima, patent attorney for Tokyo Technopat Corporation, again requesting that Mr. Chabert sign and return the Declaration and Power of Attorney and Assignment of application rights for Application Serial No. 09/890,969 (copy of the letter attached as Exhibit B). Again, this letter received no response.

Therefore, in view of the above diligent efforts to obtain the signature of Philippe Chabert on the Declaration and Power of Attorney for Patent Application Serial No. 09/890,969, it is requested that the submitted Declaration and Power of Attorney be accepted as fulfilling the legal requirements for a Declaration and Power of Attorney in the present application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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